



INDUSTRY CIRCULAR

DEPARTMENT OF
THE TREASURY

Bureau of Alcohol, Tobacco and Firearms

Washington, D.C. 20226

Number: 79-7

Date: July 2, 1979

DISTILLED SPIRITS LABELS: LABELING REQUIREMENTS WITH RESPECT TO
METRIC STANDARDS OF FILL

Proprietors of Distilled Spirits Plants, Manufacturers of Liquor
Bottles, Wholesale Liquor Dealers, Importers and Others Concerned:

PURPOSE. The purpose of this circular is two-fold:

1. To remind industry members that, in accordance with 27 CFR 5.47a, the effective date for conformity with metric standards of fill for distilled spirits is January 1, 1980; and,
2. To advise industry members that labels which have been approved for use on containers for distilled spirits may not require new certificates of label approval or certificates of exemption from label approval when revised only to bring into conformity with metric standards of fill as required by 27 CFR 5.47a.

Metric Standards of Fill. To avoid any misunderstanding, this circular is intended to make it clear that the provisions of 27 CFR 5.47a, relating to metric standards of fill for distilled spirits, will be applied, without exception, after December 31, 1979. The metric standards of fill in 27 CFR 5.47a apply to all distilled spirits, including cordials and liqueurs, cocktails, highballs, bitters and specialties.

In accordance with 27 CFR 5.53, distilled spirits imported in original containers not conforming to metric standards of fill shall not be released from customs custody after December 31, 1979, unless the distilled spirits are being withdrawn from a customs bonded warehouse into which they were entered on or before December 31, 1979; or unless they are accompanied by a statement certifying that they were bottled or packed prior to January 1, 1980. This statement may be signed by any official authorized by the appropriate foreign government to issue such certification.

After December 31, 1979, containers for distilled spirits may bear statements of net contents in addition to the required metric net content statement provided such optional statements represent an equivalent volume and are not in any way misleading to the consumer. Additional statements of net contents may appear separate and apart

from, rather than in direct conjunction with, the required metric net content statement but may not be more conspicuous than the required statement. For example, if a distilled spirits container shows the net contents in accordance with 27 CFR 5.47a as "750 ml," an additional statement such as "75 cl," ".75 L," "25.4 fl. oz.," etc., may appear anywhere on the container provided its appearance is not more conspicuous than the required "750 ml," nor is in any other manner misleading to the consumer.

Labels Changed to Conform with Metric Standards of Fill. New certificates of label approval or certificates of exemption from label approval are not required for previously approved labels being changed only to comply with metric standards of fill for distilled spirits as required by 27 CFR 5.47a.

Such changes are limited to the substitution of the required metric net content statement in lieu of nonmetric net content statements, the addition of optional net content statements as described above, and the deletion of nonmetric net content statements including, after December 31, 1979, those required under 27 CFR 5.38. Such changes will not require resubmission for label approval provided they are not misleading to the consumer or result in the rearrangement, obliteration, obscuration, or any other revision of mandatory information required under the Federal Alcohol Administration Act.

Inquiries. Inquiries concerning this circular should refer to its number and be addressed to the Assistant Director (Regulatory Enforcement), Bureau of Alcohol, Tobacco and Firearms, 1200 Pennsylvania Avenue, NW, Washington, DC 20226.

G. R. Deukram
Director

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Bureau of Alcohol, Tobacco and Firearms
Washington, D.C. 20226

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